



EXPRESS MAIL CERTIFICATE

3728/A

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Date of Deposit: March 3, 2005

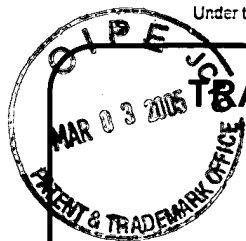
Type of Document(s): Transmittal Form;  
Fee Transmittal For FY 2004 (in duplicate);  
Statement Under 37 C.F.R. § 1.97(e);  
Supplemental Information Disclosure Statement  
(in duplicate);  
PTO/SB/08a;  
Copy of Office Action from U.S. 10/429,000  
dated January 5, 2005;  
Check in the amount of \$180.00; and  
Return Postcard

Serial No.: 10/022,016

Date Filed: December 13, 2001

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\_\_\_\_\_  
Robin Leigh



# TRANSMITTAL FORM

Application Number	10/022,016
Filing Date	December 13, 2001
First Named Inventor	Thomas, Timothy F.
Art Unit	3728
Examiner Name	Pickett, John G.
Attorney Docket Number	00568/300308
Total Number of Pages in This Submission	

(to be used for all correspondence after initial filing)

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement Under 37 C.F.R. Sec. 1.97(e); PTO/SB/08a; Copy of Office Action from U.S. 10/429,000 dated January 5, 2005. Check in the amount of \$180.00; and Return Postcard
<b>Remarks</b>		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

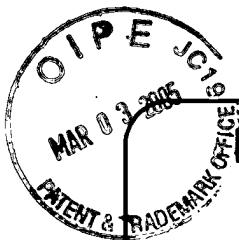
Firm	Kilpatrick Stockton LLP		
Signature			
Printed Name	J. Jason Link		
Date	March 3, 2005	Reg. No.	44,874

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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PTO/SB/17 (10-03)  
Approved for use through 07/31/2006 OMB 0551-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180

## Complete if Known

Application Number 10/022,016  
Filing Date 12-13-2001  
First Named Inventor THOMAS, Timothy Frederick  
Examiner Name Pickett, John G.  
Art Unit 3728  
Attorney Docket No. 00568/300308

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order

☒ Deposit Account:

Deposit  
Account  
Number

16-1435

Deposit  
Account  
Name

Kilpatrick Stockton LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	-20 **	= 0	X	= 0
Independent Claims	-3 **	= 0	X	= 0
Multiple Dependent			X	= 0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 180)

## SUBMITTED BY

Complete (if app: cab/e)

Name (Print/Type) J. Jason Link Registration No (Attorney/Agent) 44,874 Telephone (336) 607-7300  
Signature [Signature] Date March 3, 2005

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of	:	Thomas et al.
Serial No.	:	10/022,016
For	:	<b>Dual-Lid Cigarette Container and</b>
		<b>Method of Packaging Cigarettes</b>
Filed	:	December 13, 2001
Examiner	:	Pickett, John G.
Art Unit	:	3728

Mail Stop Issue Fee  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT UNDER 37 C.F.R. § 1.97(e)**

This Statement under 37 C.F.R. § 1.97(e) is being made for the Supplemental Information Disclosure Statement filed herewith.

Pursuant to 37 C.F.R. § 1.97(e)(2), I hereby state that no item of information in the Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in the Supplemental Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than 3 months prior to the filing of the Supplemental Information Disclosure Statement.

Respectfully submitted,

March 3, 2005  
Date

J. Jason Link  
J. Jason Link  
Reg. No. 44,874

Kilpatrick Stockton LLP  
1001 West Fourth Street  
Winston-Salem, NC 27101  
(336) 607-7300



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Thomas et al.  
Serial No. : 10/022,016  
For : **Dual-Lid Cigarette Container and  
Method of Packaging Cigarettes**  
Filed : December 13, 2001  
Examiner : Pickett, John G.  
Art Unit : 3728

Mail Stop Issue Fee  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicants submit herewith on Form SB/08a a listing of documents known to the Applicants and/or their attorney. Applicants respectfully request consideration of the cited documents and making the same of record in the prosecution of the above-identified application. In doing so, Applicants do not waive any rights to take appropriate action to establish patentability over the listed documents should they be applied as references against the claims of the present application. In accordance with 37 C.F.R. § 1.98(a)(2), copies of the listed U.S. Patents are not provided. A copy of the listed Office Action is enclosed.

This Supplemental Information Disclosure Statement is being submitted subsequent to the mailing of a Notice of Allowance in the application. Pursuant to 37 C.F.R. § 1.97(d), Applicants have included herewith the fee set forth in § 1.17(p) and a Statement under 37 C.F.R. § 1.97(e).

Applicants have enclosed a check in the amount of \$180.00 for payment of the fee set forth in § 1.17(p). Should any additional fees be due, the Commissioner is authorized to charge such fees to Deposit Account No. 16-1435. A duplicate of this sheet is attached for that purpose.



Express Mail No. EV464 363 719 US

Additionally, Applicants also note that they submitted a Supplemental Information Disclosure Statement on July 2, 2004. Applicants have not yet received a communication from the Patent Office indicating that the references on the July 2, 2004 Supplemental Information Disclosure Statement have been considered. To the extent not already considered, Applicants respectfully request that the Patent Office consider the references listed on the July 2<sup>nd</sup> Supplemental Information Disclosure Statement and make the same of the record in the application.

Respectfully submitted,

March 3, 2005

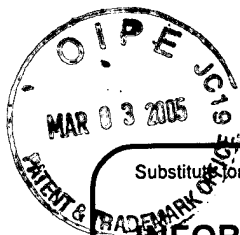
Date

J. Jason Link

J. Jason Link

Reg. No. 44,874

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Winston-Salem, NC 27101  
(336) 607-7300



Express Mail no 88 463 563 719 65

PTO/SB/08a (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

### Complete if Known

Application Number	10/022,016
Filing Date	December 13, 2001
First Named Inventor	Thomas, Timothy F.
Art Unit	3728
Examiner Name	Pickett, John G.
Attorney Docket Number	00568/300308

### U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	1	US-197,760	12-04-1877	Lloyd Brewer	
	2	US- 2,591,271	04-01-1952	Anthony Levereth	
	3	US- 3,062,365	11-06-1962	Thomas G. Fletcher	
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### FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				

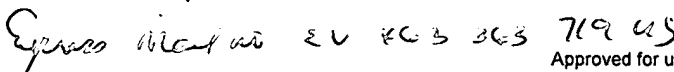
Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449B/PTO

**Complete if Known**

*(Use as many sheets as necessary)*

Sheet	2	of	2
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<b>Application Number</b>	10/022,016
<b>Filing Date</b>	December 13, 2001
<b>First Named Inventor</b>	Thomas, Timothy F.
<b>Art Unit</b>	3728
<b>Examiner Name</b>	Pickett, John G.
<b>Attorney Docket Number</b>	00568/300308

### NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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